

### **REMARKS/ARGUMENTS**

Claims 1 – 40 are pending in the application.

The Examiner is thanked for the courtesy of a telephone interview. As discussed, the cited references would qualify as 102(b) references if the disclosure of, among others, rejected independent claims 7, 8 and 30 of the instant application could be attributed only to Applicant's CIP filing date of September 10, 1999.

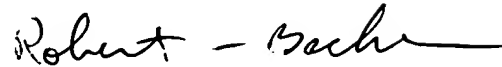
However, as will demonstrated below, the disclosure of claims 7, 8 and 30 is actually already present in Applicant's US application filed July 9, 1998, in other words, less than one year after the publication dates of the cited references. It is therefore respectfully submitted that the cited references are in fact not valid references under 102(b).

In support of the foregoing, attached is a marked-up version of Applicant's independent claims 7, 8 and 30 indicating where the support for the various claim features can be found in Applicant's July 9, 1998 application, with particular reference to Fig. 7 and to the written description starting on page 5 of the specification of the application (see enclosed copies of claims 7, 8 and 30 with hand-written references to such July 9, 1998 application).

In view of the foregoing, Applicant respectfully submits that all of claims 1 – 40 should now be in condition for allowance. Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call from him to discuss any outstanding issues and to expedite placement of the application

into condition for allowance.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Robert - Becker", with a long horizontal flourish extending to the right.

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Attachments: Two pages numbered 16 and 19



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7. A bending-resistant bar for reshaping human or animal

bone with bone replacement material; said bar having a flat cross-  
*claim 26* *Fig 7*  
section; said bar comprised of two end portions, adapted to rest on  
*Fig 7*  
the bone, and a raised bridge portion connecting said two end  
*Fig 7*  
portions and bridging at least one reshaping location; wherein said  
*Fig 7* *3* *page 7, lines 5 and 6*  
end portions have penetrations adapted to receive fastening means  
for attaching the said bar to the bone.

8. A device for reshaping human or animal bone with

bone replacement material, said device comprising: *claim 1*

10 at least two spaced apart implants, *claim 1* *4* *Fig 7*  
adapted to be  
implanted in the bone so as to project by a projecting height from  
*Fig 7*  
the bone and having a support surface facing away from the bone;

a bending-resistant bar placed onto said support  
surfaces and spaced from the bone by said projecting height of said

15 implants to bridge at least one reshaping location, *Fig 7* *14*  
filled with bone

*pages 8 and 9*  
replacement material during bone regeneration;

*10* *Fig 7*  
fasteners penetrating said bar and engaging said  
implants to clamp said bar at said supporting surface of said  
implants.

20 9. A device according to claim 8, wherein said bar has at

25. A device according to claim 8, wherein an underside of said bar is concave.

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26. A device according to claim 8, wherein said fasteners are adapted to secure permanently or temporarily at least one of a dental prosthesis, a cosmetic device and a reconstructive device positioned external to the skin.

27. A device according to claim 26, wherein said fasteners are screws or pins having longitudinal bores accessible from a head portion of said fasteners.

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28. A device according to claim 27, wherein said longitudinal bores have an inner thread.

29. A device according to claim 27, wherein said longitudinal bores are blind bores.

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30. A pin-shaped implant<sup>4</sup> for securing a bar, said implant adapted to be implanted in the bone so as to project by a projecting height from the bone and having a support surface facing away from the bone when said implant is implanted, said support surface adapted to support the bar, said implant having a smooth mantle surface so that said implant can be rotated about a longitudinal axis when implanted in order to allow height adjustment of said implant relative to the bone.

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